

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments, see page 8 filed 22 September 2009, with respect to the rejection of claims 28-32 under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, have been fully considered and are persuasive due to amendments. Therefore, the rejection of claims 28-32 under 35 U.S.C. 112, 2<sup>nd</sup> paragraph has been withdrawn.

Subsequently, any rejections of all claims dependent therefrom under identical grounds are hereby withdrawn.

2. Applicant's arguments, see pages 8-9 filed 22 September 2009, with respect to the rejection of independent claims 17 and 28 under 35 U.S.C. 103(a), have been fully considered and are persuasive due to amendment. Therefore, the rejection of rejection of independent claims 17 and 28 under 35 U.S.C. 103(a) has been withdrawn.

Subsequently, the prior art rejections of all claims dependent therefrom under identical grounds are hereby withdrawn.

**EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in telephone interviews with Liam McDowell on 06 November 2009 and 09 November 2009.

The claim listing filed 23 June 2009 is to be amended as follows:

17. (currently amended) A method of assisting the piloting of a rotary wing aircraft in the vicinity of a landing or takeoff point, the method comprising:

- using ~~means including~~ a computer configured to determine the locus of entry and/or exit points for a given approach and/or departure altitude that are not safe for reaching said landing point or on leaving said takeoff point of the rotary wing aircraft, on the basis of coordinates for the landing or takeoff point input into the computer by a tool for inputting coordinates and suitable for being manipulated by a pilot, and taking account of a climb/descent template or profile of the rotary wing aircraft; and
- presenting a diagram including said locus on a display device,

wherein a limit curve segment is determined corresponding to the trace in the plane or level corresponding to said altitude of the template or profile passing through the landing or takeoff point and grazing or bearing against the top of an obstacle extending in the vicinity of the landing or takeoff point; and

wherein at least one segment of the limit curve is determined that extends in a plane or level corresponding to said altitude, the portion of the limit curve separating the locus of safe entry and/or exit points from unsafe entry and/or exit points, and the landing or takeoff point together with the segment of the limit curve are displayed on the display device.

20. (currently amended) The method according to claim 48 17, in which there is displayed on the display device the diagram including the landing or takeoff point, at least a portion of one or more circles centered on said point, and the limit curve portion, at least.

21. (currently amended) The method according to claim 48 17, in which a first color or texture is applied to a portion of the diagram extending inside the limit curve portion, and a second color or texture, different from the first color or texture, is applied to the portion of the diagram that extends outside said limit curve portion, and these portions of the diagram are displayed on the display device.

28. (currently amended) A device for assisting the piloting of a rotary wing aircraft in the vicinity of a landing or takeoff point,

the device comprising:

- a database on a computer readable medium containing characteristics of obstacles;
- a computer configured to read the characteristics of obstacles from the database;
- a tool for inputting into the computer the coordinates of a landing or takeoff point for said rotary wing aircraft;
- the computer configured to respond to the coordinates of the landing or takeoff point and to an approach or departure altitude to determine the locus of entry and/or exit points at

said altitude that are unsafe, taking account of a predetermined climb/descent template or profile of said rotary wing aircraft;

and

- means for presenting said locus to the pilot,
- wherein said computer is configured to determine a limit curve segment corresponding to a trace in a plane or a level corresponding to said altitude of the template or profile passing through the landing or takeoff point and grazing or bearing against the top of an obstacle extending in the vicinity of the landing or takeoff point.

33. (previously presented) The ~~method~~ device according to claim ~~18~~ 28, in which at least one segment of the limit curve is determined that extends in a plane or level corresponding to said altitude, the portion of the limit curve separating the loci of safe entry and/or exit points from unsafe entry and/or exit points, and the landing or takeoff point together with the segment of the limit curve are displayed on said means for presenting said locus to said pilot comprising the a display device .

34. (previously presented) The ~~method~~ device according to claim ~~19~~ 33, in which there is displayed on the display device the diagram including the landing or takeoff point, at least a portion of one or more circles centered on said point, and the limit curve portion, at least.

35. (previously presented) The ~~method~~ device according to claim ~~19~~ 33, in which a first color or texture is applied to a portion of the diagram extending inside the limit curve portion, and a

second color or texture, different from the first color or texture, is applied to the portion of the diagram that extends outside said limit curve portion, and these portions of the diagram are displayed on the display device.

***Claims Allowable - Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance:

Independent claims 17 and 28, as amended above, are allowable over the combined prior art of Dwyer (US 2005/0182528) and Lapis (US 6,744,382). The novelty of the claims lie in the amended embodiments wherein in a rotary wing aircraft piloting display system and method, the flight computer is configured to generate a limit curve segment corresponding to a trace in a plane or a level corresponding to said altitude of the template or profile passing through the landing or takeoff point and grazing or bearing against the top of an obstacle extending in the vicinity of the landing or takeoff point.

Dwyer and Lapis are drawn to visual pilot assistance inventions, but neither, alone or in combination with any of the cited prior art can reasonably render obvious the above embodiments.

Subsequently, claims 20-27 and 29-32 are also now allowable due to dependence on their respective independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN M. DAGER whose telephone number is (571)270-1332. The examiner can normally be reached on 0830-1800 (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JD  
04 November 2009

/Jack W. Keith/

Supervisory Patent Examiner, Art Unit 3663